

The Code implements a system that includes a database. In the claimed system a patient provides his ID to Emergency personnel. This ID is then used to query the database. The database is populated with information provided by a hospital, whereas hospital records are then transmitted to emergency personnel on the spot where the patient is located.

This being the case, it is Applicant's contention that the invention was both conceived and reduced to practice prior to February 22, 2000, with the reduction-to-practice documented by the running of code on the inventor's computer.

This eliminates any necessity of showing diligence in that the invention was both conceived and reduced to practice on the date of the reduction to practice which was prior to February 22, 2000. Thus, Applicant need not rely on the constructive reduction to practice afforded by his filing date.

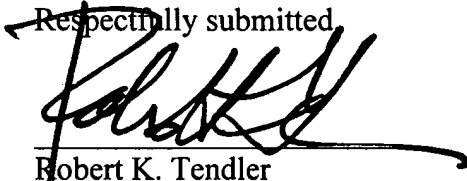
In view of the submitted Declarations, it is Applicant's contention that both the Schoenberg and Zak references be removed as references, and that the claims be allowed.

Allowance of the Claims and issuance of the case is earnestly solicited. Alternatively, entry of this Amendment for purposes of Appeal is requested.

Date:

July 8, 2008

Respectfully submitted,

  
Robert K. Tendler  
Reg. No.: 24,581  
65 Atlantic Avenue  
Boston, MA 02110  
Tel: (617) 723-7268